

HOUSE BILL 2881

By DuBois

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 10, Part 4, relative to the offense of  
driving under the influence of an intoxicant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-401, is amended by adding  
the following as a new subsection:

(c) Notwithstanding any other law or rule of court to the contrary, a person charged with a violation of this section shall be prosecuted as provided in this part according to the appropriate number of prior convictions, if any, the person has. The district attorney general shall not have the authority to offer, accept or enter into a plea agreement pursuant to Rule 11 of the rules of criminal procedure with such person if the agreement allows the person to enter a plea of guilty or nolo contendere to an offense that does not have as an essential element the person being in physical control of a motor vehicle while under the influence of an intoxicant.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.